

EDUCATION DEPARTMENT[281]

Adopted and Filed

Pursuant to the authority of Iowa Code section 256.7(5), the State Board of Education hereby proposes to rescind Chapter 46, “Vocational Education Programs,” and to adopt a new Chapter 46, “Career and Technical Education,” and to rescind Chapter 47, “Career Academies,” Iowa Administrative Code.

The proposed new Chapter 46 implements the provisions of 2016 Iowa Acts, House File 2392, division II. 2016 Iowa Acts, House File 2392, grants the State Board of Education authority to adopt standards for career and technical education service areas, regional secondary career and technical education planning partnerships, career academies, regional centers, and more. Accordingly, proposed Chapter 46 establishes the revised career and technical education services areas and aligns national career clusters to each service area. A process for establishing standards for the career and technical education service areas is also proposed. The proposed chapter establishes the secondary program approval and regular review process through which all secondary career and technical education programs will be approved and reviewed. The proposed chapter clarifies the duties, requirements, and membership of local program advisory councils and establishes alternative council structures which programs may utilize in meeting statutory requirements. Standards for regional career and technical education planning partnerships are established, including standards related to partnership approval, compliance, duties, and permissible uses of funds. Standards are also established for career academies and regional centers. Because rules for career academies are included in new Chapter 46, existing Chapter 47 pertaining to career academies is rescinded and reserved.

An agencywide waiver provision is provided in 281—Chapter 4.

Notice of Intended Action was published in the December 7, 2016, Iowa Administrative Bulletin as ARC 2855C. Public comments were allowed until 4:30 p.m. on January 6, 2017. A public hearing was held on January 6, 2017. Thirteen people attended the public hearing. Fifteen public comments were received. Almost all of the public comments spoke to the underlying statute, Iowa Acts chapter 1108, or to future implementation of that statute. Because the Department and the State Board of Education lack authority to modify the statute, these rules are nearly identical to those that were noticed. The only changes are technical or clarifying in nature.

After analysis and review of this rule making, no impact on jobs has been found.

These amendments are intended to implement Iowa Code chapter 258 and 2016 Iowa Acts, chapter 1108.

These rules will be effective on March 22, 2017.

The following amendments are proposed.

ITEM 1. Rescind 281—Chapter 46 and adopt the following **new** chapter in lieu thereof:

CHAPTER 46

CAREER AND TECHNICAL EDUCATION

281—46.1(258) Federal Act accepted. The provisions of the Act of Congress known as the Carl D. Perkins Career and Technical Education Improvement Act of 2006, codified at 20 U.S.C. §2301 et seq., as amended, and the benefit of all funds appropriated under said Act and all other Acts pertaining to career and technical education, are accepted.

281—46.2(258) Definitions. As used in this chapter:

“Approved career and technical education program” means a career and technical education program offered by a school district or community college and approved by the department which meets the requirements for career and technical education programs established under this chapter.

“Approved practitioner preparation school, department, or class” means a school, department, or class approved by the board as entitled under this chapter to federal moneys for the training of teachers of career and technical education subjects.

“Approved regional career and technical education planning partnership” means a regional entity that meets the requirements for regional career and technical education planning partnerships pursuant to rule 281—46.10(258).

“Board” means the board for career and technical education as provided in rule 281—46.3(258).

“Career academy” means a career academy established under rule 281—46.11(258).

“Career and technical education service area” means any one of the service areas specified in rule 281—46.4(258).

“Career cluster” means a nationally recognized framework for organizing and classifying career and technical education programs.

“Community college” means an institution as defined under Iowa Code section 260C.2(1).

“Department” means the department of education.

“Director” means the director of the department of education.

“District” means a public school district.

“Partnership” means a regional career and technical education planning partnership as established under rule 281—46.10(258).

“Program” means a minimum of three sequential units of career and technical education coursework.

“Sector partnership” means a regional industry sector partnership as defined in rule 281—25.18(260H).

“Shared program” means a program or portion of a program offered through an agreement pursuant to Iowa Code section 256.13.

“Work-based learning” means opportunities and experiences that include but are not limited to tours, job shadowing, rotations, mentoring, entrepreneurship, service learning, internships, and apprenticeships.

“Work-based learning intermediary network” means the statewide work-based learning intermediary network established pursuant to 281—Chapter 48.

281—46.3(258) State board for career and technical education. The state board of education shall constitute the board for career and technical education. In that capacity, the board shall approve the multiyear state plan developed by the director in accordance with applicable federal laws and regulations governing career and technical education.

281—46.4(258) Career and technical education service areas. Districts shall comply with the

requirements of rule 281—46.5(258) in offering programming pursuant to this rule. Instructors teaching courses pursuant to this rule shall hold and maintain appropriate board of educational examiners licensure pursuant to Iowa Code chapter 272.

46.4(1) *Grades 7-8.* Pursuant to 281—subrule 12.5(4), districts shall offer career exploration and development in grades 7 and 8. Career exploration and development shall be designed so that students are appropriately prepared to create an individual career and academic plan pursuant to 281—Chapter 49, incorporate foundational career and technical education concepts aligned with the six career and technical education service areas as defined in subrule 46.4(2), and incorporate relevant twenty-first century skills.

46.4(2) *Grades 9-12.* Pursuant to 281—subrule 12.5(5), districts shall offer career and technical education programming in the following service areas:

- a.* Agriculture, food, and natural resources, including the career cluster of agriculture, food, and natural resources.
- b.* Information solutions, including the career clusters of arts, audio and video technology, and communications; and information technology.
- c.* Applied sciences, technology, engineering, and manufacturing, including the career clusters of architecture and construction; manufacturing; science, technology, engineering, and mathematics; and transportation, distribution, and logistics.
- d.* Health sciences, including the career cluster of health science.
- e.* Human services, including the career clusters of education and training; human services; hospitality and tourism; government and public administration; and law, public safety, corrections, and security.
- f.* Business, finance, marketing, and management, including the career clusters of business, management, and administration; finance; and marketing.

281—46.5(258) Standards for career and technical education. The board shall adopt content standards for the career and technical education service areas. Districts shall include, at a minimum, the

content standards for career and technical education service areas adopted pursuant to this rule in career and technical education programs as the standards are adopted by the board.

281—46.6(258) Career and technical education program approval and review. The purpose of the career and technical education program approval and review process is to promote the establishment and maintenance of high-quality secondary and postsecondary career and technical education programs that implement best practices resulting in effective teaching and learning. The program approval and review process will ensure that all career and technical education programs are compatible with educational reform efforts, are capable of responding to technological change and innovation, and meet the educational needs of students and the employment community.

46.6(1) Secondary program approval. All career and technical education programs offered by a district shall be approved by the department. As a condition for approval, a district shall comply with the following requirements for career and technical education program approval.

a. Data collection and analysis. A district shall, for each program, conduct an analysis of appropriate data and information related to the program and occupational fields applicable to the program. For purposes of this subrule, data shall include, at a minimum, program enrollment numbers and trends by high school, course completion rates and trends, data required under federal statute governing career and technical education, and labor market information and socioeconomic and demographic data elements as provided by the partnership.

b. Program report and self-study. A district shall create a program report and self-study for each offered program. The program report and self-study shall include narrative on the following criteria:

(1) Program overview. This section shall include an overview of the program's purpose, a summary of data and information as described under paragraph 46.6(1) "a" and any conclusions drawn from this data and information, and an analysis of future trends in occupations associated with the program.

(2) Statement of program goals, objectives, and outcomes. This section shall include clear statements of the program's goals, objectives, and outcomes, including a justification of the program's goal(s), objective(s), and outcome(s) based on the review conducted under subparagraph 46.6(1) "b"(1),

and describe methods which will be used to measure the program's stated outcomes.

(3) Competencies. This section shall describe the established program competencies aligned with state standards pursuant to rule 281—46.5(258) and the program's goals, objectives, and outcomes; include evidence of advisory committee approval of competencies, technical skill assessment tool(s), and proficiency benchmarks; include evidence of postsecondary approval of competencies and technical skill assessment tool(s); outline and describe the coherent sequence of coursework which constitutes the program, including any related foundational and concurrent enrollment coursework, depicted in a plan of study template; describe processes utilized to employ contextualized and effective work-based, project-based, and problem-based learning approaches; describe efforts to integrate career and technical education student organization(s) into the program, if applicable; and describe processes utilized to review and update the curriculum, ensuring continued relevancy to the occupational field.

(4) Student assessment. This section shall describe how the program will assess student outcomes established under subparagraph 46.6(1)“b”(2) and program competencies established under subparagraph 46.6(1)“b”(3) and the established technical skill assessment tool(s) to measure competencies, utilizing industry-approved technical skill assessments, where available and appropriate.

(5) Educational resources. This section shall describe key equipment and materials currently used in instruction; processes to determine whether the equipment is relevant and up to date; processes to maintain the equipment; and new equipment needs, with a description of how the proposed new equipment would improve the program.

(6) Advisory council. This section shall describe how the program engages with the business community to recruit members for the advisory council pursuant to rule 281—46.8(258) and include a current member list with titles and company; describe advisory committee meeting logistics including, but not limited to, meeting frequency, agendas, and minutes; detail and describe the advice the advisory council has suggested for the program and any actions or results taken by the program which stem from this advice as well as any advice not acted upon by the program; and include, as an appendix to the narrative, advisory council minutes from the prior year.

(7) Partnerships. This section shall describe how the program's curriculum is integrated with other

curricular offerings required of all students; describe the articulation, contractual agreements for shared courses with community colleges, and other agreements with community colleges and other postsecondary institutions; and describe how the program partners with counselors at various levels to assist all students and stakeholders in the exploration of pathway opportunities within the service area.

(8) Removing barriers. This section shall describe how the program removes barriers for all students to access education opportunities both while in and beyond high school.

c. Feedback. The district shall submit the program report and self-study completed under paragraph 46.6(1) “b” to the partnership for peer review and feedback. The partnership shall complete a review of the program report and self-study and provide the district with recommendations and feedback based on that review. The partnership’s recommendations shall be documented and submitted to the department and the district. The partnership shall include in the recommendations a determination of whether the program should or should not receive department approval. A program must be recommended for approval by the partnership for the program to receive approval by the department. The district will modify the program report and self-study based on the partnership’s recommendations. The partnership’s recommendations shall be included as an appendix to the program report and self-study submitted to the department. The final program report and self-study shall be submitted by the district to the department.

d. Department approval. Final approval of programs will be reserved for the department. Approval shall be awarded to a program if clear evidence of compliance with the criteria established in this rule is provided in the program report and self-study as required under paragraph 46.6(1) “b.” A program which fails to be approved by the department will have one year to address identified deficiencies and resubmit for approval of the program. The department will provide a summary of the deficiencies in need of addressing.

46.6(2) Postsecondary program approval. All community college career and technical education programs shall be approved through the process established in 281—subrule 21.4(3).

46.6(3) Secondary program review. The program review process will ensure that 20 percent of secondary career and technical education programs are reviewed on an annual basis and that career and

technical education programs meet standards adopted by the board. The review shall include an assessment of the extent to which the competencies in the program are being mastered by the students enrolled, the costs are proportionate to educational benefits received, the career and technical education curriculum is articulated and integrated with other curricular offerings required of all students, the programs would permit students with career and technical education backgrounds to pursue other educational interests in a postsecondary institutional setting, and the programs remove barriers for all students to access educational and employment opportunities.

a. Secondary program review. As a condition of continuing approval, districts shall comply with the following requirements for career and technical education program review. Units of instruction required under rule 281—46.4(258) must have students from each participating high school enrolled. Each district that sends students to a shared program with another district which is used by the sending district to fulfill the requirements of rule 281—46.4(258) must have students from the sending district enrolled in the shared program.

(1) Conclusions drawn from annual program measurement. A district shall, for each program, annually review and evaluate program outcomes and student assessment data. The district shall describe any conclusions drawn from the review and evaluation of program outcomes and student assessment data, and how those conclusions impact the future direction of the program. In addition to and as a result of this review, the district shall identify program strengths, in order of importance, and describe how these strengths will be maintained; perceived barriers to accomplishing the program's goal(s) and objective(s); and primary opportunities for improvement, in order of importance, and how these opportunities for improvement will be addressed. The district shall also review program enrollment and participation data by high school to determine if students from each participating high school have access to the program. The district shall describe how the district is ensuring access to the program for all students from each participating high school.

(2) Revision of program goals, objectives, and outcomes. The district shall update and make appropriate revisions to the program, including goals, objectives, and outcomes, as outlined in the program report and self-study based on the results of the activities prescribed under subparagraph

46.6(3) “a”(1).

b. Feedback. The district shall submit the program report and self-study completed under subparagraph 46.6(3) “a”(2) to the partnership for peer review and feedback. The partnership shall complete a review of the program report and self-study and provide the district with recommendations and feedback based on the review. The partnership’s recommendations shall be documented and submitted to the department and the district. The partnership shall include in the recommendations a determination of whether the program should or should not receive department approval. A program must be recommended for approval by the partnership for the program to receive approval by the department. The district will modify the program report and self-study based on the partnership’s recommendations. The partnership’s recommendations shall be included as an appendix to the program report and self-study submitted to the department. The final program report and self-study shall be submitted by the district to the department.

c. Department approval. Final approval of programs will be reserved for the department. Approval shall be awarded to a program if clear evidence of compliance with the criteria established in this rule is provided in the program report and self-study as required under this rule. A program which fails to be approved by the department will have one year to address identified deficiencies and resubmit for approval of the program. The department will provide a summary of the deficiencies in need of addressing.

46.6(4) Postsecondary program review. The postsecondary program review process shall ensure career and technical education programs meet standards adopted by the board. The review shall include an assessment of the extent to which the competencies in the program are being mastered by the students enrolled, the program costs are proportionate to educational benefits received, the curriculum is articulated and integrated with other curricular offerings required of all students, the program provides opportunities for students to pursue other educational interests in a postsecondary institutional setting, and the program removes barriers for all students to access educational and employment opportunities.

a. Process. Each community college shall establish a process which ensures at least 20 percent of career and technical education programs are reviewed on an annual basis. The department will ensure

compliance with the requirements of this paragraph through the community college accreditation process established in 281—Chapter 24.

b. Components. The following minimum components will be addressed through the process outlined in paragraph 46.6(4) “*a.*”

(1) Industry or professional standards. Community colleges shall utilize standards established and recognized by industry or professional organizations when available and appropriate. In lieu of these standards, community colleges shall develop program standards through a structured group interview process, which involves committees of incumbent workers within an occupational cluster analyzing standards which include new and emerging technologies, job seeking, leadership, entrepreneurial, and occupational competencies. This analysis includes identifying standards that ensure program participants have access to instruction which leads to employment and further training. All standards will be analyzed for the reinforcement of academic skills.

(2) Program standards. Additional standards which shall be addressed during the program review include currency of curriculum; faculty qualifications; professional development; adequacy of equipment and facilities; student outcomes, in terms of student demographics to include gender, race and ethnicity, national origin, and disability; enrollment retention, completion, and replacement rates; articulation; and employment rates and wages.

(3) Advisory council. The community college shall document how the program engages with the business community to recruit members for the advisory council required under rule 281—46.8(258). Program review documentation shall include a current member list with titles and employer; advisory committee meeting logistics including, but not limited to, meeting frequency, agendas, and minutes; advice the advisory council has suggested for the program; and any actions or results taken by the program which stem from this advice.

(4) Articulation. Teachers and administrators from both secondary and postsecondary instructional levels shall (when applicable) meet to identify competencies required at each level and to jointly prepare agreements of articulation between secondary and postsecondary levels for specific occupational areas. Such joint articulation efforts will facilitate the secondary-postsecondary transition and help reduce

duplication between the two levels.

46.6(5) *Program modification.* Any modifications to a program must be approved by the department. Modification includes, but is not limited to, a change to the courses in the program, a change to the description of a program, discontinuing a program or option, a change to instructional or occupational classification, or changes in program entrance requirements.

281—46.7(258) Accreditation standards not met. Reserved.

281—46.8(258) Advisory council.

46.8(1) *Appointment.* The board of directors of a school district or community college that maintains a career and technical education program receiving federal or state funds under this chapter shall, as a condition of approval by the board, appoint a program-oriented and program-specific advisory council for each career and technical education program offered by the school district or community college. The local advisory council shall give advice and assistance to the board of directors, administrators, and instructors in the establishment and maintenance of the career and technical education program. An advisory council established under this rule shall meet at least twice annually.

46.8(2) *Joint advisory council.* A school district and a community college that maintain a career and technical education program receiving federal or state funds may create a joint local advisory council which may serve in place of an advisory council required under subrule 46.8(1).

46.8(3) *Regional advisory council.* A regional advisory council established by a regional career and technical education planning partnership approved by the department pursuant to rule 281—46.10(258) may serve in place of an advisory council required under subrule 46.8(1).

46.8(4) *Membership.* The membership of each advisory council established under this rule shall consist of public members from multiple businesses within the occupation or occupational field related to the career and technical education program and of other stakeholders with expertise in the occupation or occupational field related to the career and technical education program. There shall be a good-faith effort to include secondary and postsecondary career and technical education teachers from related secondary and postsecondary programs on the advisory council. Members of an advisory council shall

serve without compensation. Local advisory councils are not subject to the requirements of Iowa Code section 69.16.

281—46.9(258) Distribution of career and technical education funds.

46.9(1) An approved regional career and technical education planning partnership is eligible to receive from state funds reimbursement for expenditures made during the fiscal year for purposes allowed under subrule 46.10(6). If federal and state funds are not sufficient to make the reimbursement to the extent provided in this rule, the director shall prorate the respective amounts available to the regional career and technical education planning partnerships entitled to reimbursement. For the 2016-2017 transition school year, an approved partnership may claim reimbursement for eligible expenditures made by districts within the partnership.

a. At the beginning of a fiscal year, the department shall assign to each partnership a portion of the total career and technical education funds from which the partnership may claim reimbursement from the department.

b. Each partnership shall be assigned a portion of the total career and technical education funds based on the following formula:

(1) Half of the total career and technical education funds shall be disbursed equally between the approved partnerships.

(2) Half of the total career and technical education funds shall be disbursed based on the number of students enrolled in approved career and technical education programs.

46.9(2) All federal funds shall be spent pursuant to the state plan required under the federal Carl D. Perkins Career and Technical Education Improvement Act of 2006, codified at 20 U.S.C. §2301 et seq., as amended.

281—46.10(258) Regional career and technical education planning partnerships. Regional career and technical education planning partnerships are established to assist school districts in providing an effective, efficient, and economical means of delivering high-quality secondary career and technical education programs.

46.10(1) Establishment. Partnerships shall be established to serve all school districts in the state no later than June 30, 2017.

a. There shall be established in the state no fewer than 12 and no greater than 15 regions in which partnerships may operate.

b. A partnership shall be considered established if approved pursuant to subrule 46.10(2).

c. Convening the regional career and technical education planning partnership shall be the joint responsibility of the area education agency and community college located within the region. In convening the partnership, the area education agency and community college shall secure the participation of interim members of the partnership. When selecting interim members, the area education agency and community college shall ensure the membership requirements of subrule 46.10(3) are satisfied.

46.10(2) Approval. All partnerships shall be approved by the department. As a condition of approval, each partnership shall meet the following requirements:

a. Approval. By June 30, 2017, each partnership shall have adopted bylaws in a manner and format prescribed by the department. The partnership shall submit to the department by June 30, 2017, the partnership's bylaws, a membership list which clearly denotes the required membership under subrule 46.10(3) and the chair, vice-chair, and secretary, the designated fiscal agent for the partnership, minutes from all meetings held prior to June 30, 2017, and a schedule of future meetings.

b. Continuing approval. By June 30, 2018, each partnership shall have adopted a multiyear plan meeting the requirements of subrule 46.10(5). The multiyear plan shall be reviewed and, as necessary, revised on an annual basis by the partnership and submitted to the department. To maintain approval, the partnership shall maintain evidence that the duties assigned to the partnership under subrule 46.10(4) are performed on a continuing basis.

c. Failure to maintain approval. If the department denies or grants conditional approval of a partnership, the director, in consultation with the partnership, shall establish a plan detailing all areas of deficiency and prescribing the procedures that must be taken to achieve approval and a timeline for completion of the prescribed procedures. A final plan shall be submitted to the director within 45 days

following notice of the department denying or granting conditional approval of a partnership. The partnership shall continue to perform the duties assigned to the partnership under subrule 46.10(4) for the duration of the timeline established in the plan. If at the end of the timeline established in the plan the noted deficiencies have not been adequately addressed, the partnership will be denied approval. Within one year of the action to deny approval of the partnership, the director will establish a plan which details how the partnership will be merged or restructured.

d. Resolution of disputes. In the event of a dispute regarding the assignment of a district to a partnership under this rule, the director shall first attempt to mediate the dispute. If mediation is unsuccessful, the director shall schedule a hearing to obtain testimony. At the sole discretion of the director, the hearing may be held electronically or in person. The director shall issue within ten days after the hearing a written decision which shall be a final administrative decision.

46.10(3) Membership. The membership of each partnership shall consist of stakeholders in a position to contribute to the development and successful implementation of high-quality career and technical education programs. Each district which falls within the boundaries of the partnership shall be represented on the partnership. Once established pursuant to subrule 46.10(1), the partnership shall be responsible for identifying and maintaining appropriate membership. Membership of the partnership shall include but not be limited to the following:

a. The superintendent of a school district within the regional planning partnership, or the superintendent's designee.

b. The president of a community college within the regional planning partnership, or the president's designee.

c. The chief administrator of an area education agency within the regional planning partnership, or the chief administrator's designee.

d. Representatives of a regional work-based learning intermediary network.

e. Representatives of regional economic and workforce entities including regional advisory boards established under Iowa Code section 84A.4.

f. Representatives of business and industry, including representatives of regional industry sector

partnerships.

g. Career and technical education teachers and faculty.

46.10(4) Duties. The partnership shall perform the following duties on a continuing basis.

a. Develop a multiyear plan which meets the requirements of subrule 46.10(5). The plan shall be updated annually.

b. Collect and review all relevant plans required by the federal Carl D. Perkins Career and Technical Education Improvement Act of 2006, codified at 20 U.S.C. §2301 et seq., as amended; career and academic plans required under 281—Chapter 49; and regional labor market, socioeconomic, and demographic information.

c. Ensure compliance with standards adopted by the board for regional career and technical education planning partnerships.

d. Appropriately expend career and technical education funds in accordance with subrule 46.10(6) assigned to the partnership pursuant to rule 281—46.9(258).

e. Collect, review, and make available to districts appropriate labor market, socioeconomic, and other state, regional, or national information necessary for completing the program approval and review process pursuant to rule 281—46.6(258).

f. Review career and technical education programs of school districts within the region and recommend to the department career and technical education programs for approval in accordance with subrules 46.6(1) and 46.6(3).

g. Coordinate and facilitate advisory councils for career and technical education programs and, as necessary, establish regional advisory councils to serve in the same capacity as local advisory councils.

h. Plan for regional centers with the purpose of achieving equitable access to high-quality career and technical education programming and concurrent enrollment opportunities for all students.

46.10(5) Multiyear plan. The multiyear plan developed by the partnership shall outline the partnership's goals, objectives, and outcomes; how the partnership will execute the authority and duties assigned to the partnership; how the partnership will secure collaboration with secondary schools, postsecondary educational institutions, and employers to ensure students have access to high-quality

career and technical education programming, including career academies, that aligns career guidance, twenty-first century career and technical education and academic curricula, and work-based learning opportunities that empower students to be successful learners and practitioners; and how the partnership will ensure compliance with standards established under this rule. In addition, the multiyear state plan shall include, but not be limited to, the following components:

a. Goals, objectives, and outcomes. The plan shall detail the partnership's goals, objectives, and outcomes, which shall include, but not be limited to, the following goals:

(1) Promote career and college readiness through thoughtful career guidance and purposeful academic and technical planning practices.

(2) Promote high-quality, integrated career and technical education programming, including career academies and the delivery of quality career and technical education programs by school districts in fulfillment of the requirements of rule 281—46.4(258) comprised of secondary exploratory and transitory coursework to prepare students for higher-level, specialized academic and technical training aligned with labor market needs.

(3) Afford students the opportunity to access a spectrum of high-quality work-based learning experiences through collaboration with a work-based learning intermediary network.

(4) Afford all students equitable access to programs and encourage the participation of underrepresented student populations in career and technical education programming.

b. Process to measure goals, objectives, and outcomes. The plan shall outline the processes to be used by the partnership to measure all goals, objectives, and outcomes established pursuant to paragraph 46.10(5) "a."

c. Program approval and review process. The plan shall outline the process the partnership will utilize in reviewing career and technical education programs of school districts within the region based on standards established in rule 281—46.6(258). The process shall detail how 20 percent of programs will be reviewed on an annual basis. The partnership shall provide a written five-year program review schedule which clearly indicates the specific year in which a program is to be reviewed within the five-year cycle.

d. Advisory councils. The plan shall outline the process that the partnership will utilize in coordinating and facilitating local advisory councils for career and technical education programs as required under rule 281—46.8(258) and establishing regional advisory councils to serve in the same capacity as local advisory councils, as necessary.

e. Use of funds. The plan shall detail the partnership’s budget including intended use of funds designated to the partnership pursuant to rule 281—46.9(258). The intended use of funds shall comply with the requirements of subrule 46.10(6) and be clearly connected to the goals, objectives, and outcomes of the partnership established under paragraph 46.10(5)“a” and the needs of career and technical education programs and teachers as identified through the program approval and review process under rule 281—46.6(258).

f. Planning for regional centers. The plan shall outline the process that the partnership will utilize in planning for regional centers, consistent with the requirements of rule 281—46.12(258), with the purpose of achieving equitable access to high-quality career and technical education programming and concurrent enrollment opportunities for all students.

g. Meeting regularly. The plan shall outline the intended schedule of partnership meetings for a five-year period. The partnership shall meet at least twice per academic year.

h. Annual review of multiyear plan. The plan shall outline the process to be utilized by the partnership to annually review and, as necessary, revise the plan. This process shall ensure that all members and stakeholders are included in the review and revision of the plan. The partnership shall maintain a written record of all reviews of and revisions to the plan.

i. Assurance statement. The plan shall include, in a format prescribed by the department, an assurance that in all operations of and matters related to the partnership, the partnership does not discriminate against individuals protected under federal and state civil rights statutes.

46.10(6) Secondary career and technical education funds. An approved regional career and technical education partnership may use funds received from state and federal sources for the following:

a. To convene, lead, and staff the regional career and technical education planning partnership. A partnership may use state career and technical education funds allocated to the partnership pursuant to

rule 281—46.9(258) for no more than one full-time equivalent staff position.

b. To offer regional career and technical education professional development opportunities, coordinate and maintain a career guidance system pursuant to 281—Chapter 49, and purchase equipment on behalf of school districts and community colleges participating in the regional career and technical education planning partnership. All expenditures on allowable uses specified under this paragraph must conform to the requirements of the federal Carl D. Perkins Career and Technical Education Improvement Act of 2006, codified at 20 U.S.C. §2301 et seq., as amended.

281—46.11(258) Career academies.

46.11(1) *Establishment and responsibilities.* A career academy may be established under an agreement between a single school district and a community college, or by multiple school districts and a community college organized into a regional career and technical education planning partnership pursuant to rule 281—46.10(258). A career academy established under this rule shall be a career-oriented or occupation-oriented program of study that includes a minimum of two years of secondary education, which may fulfill the sequential unit requirement in one of the four service areas required under 281—subrule 12.5(5), includes concurrent enrollment programming aligned with a postsecondary education program which meets the requirements of 281—Chapter 22, and is approved by the director. A career academy shall do all of the following:

a. Utilize regional career and technical education planning partnerships outlined in rule 281—46.10(258) in an advisory capacity to inform the selection and design of the career academy and establishment of industry standards.

b. Establish a program of study that meets all of the following criteria:

(1) Is designed to meet industry standards and prepare students for success in postsecondary education and the workforce.

(2) Integrates academic coursework; includes foundational and transitory career and technical education coursework; includes work-based learning; and utilizes the individual career and academic planning process established under 281—Chapter 49.

(3) Integrates as a portion of the career academy a hands-on, contextualized learning component.

(4) Allows students enrolled in the academy an opportunity to continue on to an associate degree and, if applicable, a postsecondary baccalaureate degree program.

46.11(2) *Contract or agreement.* A career academy must receive approval from district and community college boards participating in the career academy. A contract or 28E agreement must set forth the purposes, powers, rights, objectives, and responsibilities of the contracting parties and be signed by all participating parties and be in effect prior to initiation of a career academy. An assurance form, as defined by the department, which specifies that the career academy includes all the components required under this rule shall be sent to the director.

46.11(3) *Faculty requirements.* Faculty providing college credit instruction in a career academy program of study must meet community college faculty minimum standards as specified in 281—subrule 24.5(1) and the requirements of the quality faculty plan as approved by the community college board pursuant to 281—subrule 24.5(7). Instructors teaching courses that provide only secondary level credit must have appropriate secondary licensure pursuant to Iowa Code chapter 272.

46.11(4) *Compliance.* Districts and community colleges shall maintain compliance with the federal Carl D. Perkins Career and Technical Education Improvement Act of 2006, 20 U.S.C. §2301 et seq., as amended, in implementing career academies.

46.11(5) *Data collection.* Data collection and enrollment reporting must follow specified requirements as determined by the department.

281—46.12(258) Regional centers. The state board shall adopt standards pertaining to regional centers. The standards shall include, but not be limited to, those which provide for increased and equitable access to high-quality career and technical education programs and require that regional centers incorporate appropriate educational programs, meet appropriate state and federal regulations for safety and access, maintain adequate participation, and are located within an appropriate distance of participating high schools, and that transportation is provided to all students.

46.12(1) *Minimum requirements.* As a condition for approval, a regional center shall comply with

standards adopted by the board and shall consist of a minimum of four career academies on site. A regional center shall be compatible with the development of a statewide system of regional centers serving all students. A regional center shall serve either of the following:

- a.* A combined minimum of 120 students from no fewer than two school districts.
- b.* A minimum of four school districts.

46.12(2) to 46.12(4) Reserved.

46.12(5) *Approval.* The director shall approve all facilities meeting the definition and requirements for regional centers under this rule.

These rules are intended to implement Iowa Code chapter 258 and 2016 Iowa Acts, chapter 1108.

ITEM 2. Rescind and reserve **281—Chapter 47**.